



THE ATTORNEY GENERAL OF TEXAS

AUSTIN 11, TEXAS

GERALD C. MANN
~~WILL WILSON~~
ATTORNEY GENERAL

Honorable Harry Knox
Chairman, State Board of Control
Austin, Texas

Dear Sir:

Opinion No. O-2852

Re: Method to be used in making
funds available to San Jacinto
State Park Board for expend-
iture in improvement of the
park grounds as part of a W.P.
A. project for that purpose.

The contract entered into between the State Board of Control and the San Jacinto Museum Association concerning the care, custody and control of the San Jacinto Memorial Tower, of date April 18, 1939, construed in our opinion No. O-951, provides that the balance of the net profits collected by the Association from selling souvenirs, operating a concession, and operating the elevator, after paying the expenses of operating the elevator, paying janitors and watchmen, expense of maintenance and policing of the building, and complying with the general terms of the resolution authorizing the contract in respect to insurance, shall be used on the grounds of the San Jacinto State Park under the direction of the Board of Control.

From your letter of December 16, it appears that your Board desires to approve the transfer of \$4,617.00 of the Association's funds to the San Jacinto State Park Board to be used as part of the sponsor's share in a W. P. A. project for the improvement of the San Jacinto battlegrounds.

You ask the opinion of this Department as to the proper method to be used by the Board.

You are advised that the approval of the Board of the particular expenditure of funds involved, upon the grounds, should be evidenced by proper resolution spread upon the minutes of the Board.

The letter from the San Jacinto Museum of History Association, of date December 2, 1940, enclosed with your request, is returned to you herewith.

Yours very truly

ATTORNEY GENERAL OF TEXAS

RWF:ew:wc
Encl.

Approved Jan. 8, 1941 s/Gerald C.
Mann Attorney General of Texas

By s. R.W. Fairchild

App. opinion committee by BWB Chairman

Richard W. Fairchild
Assistant